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**McDERMOTT, WILL & EMERY**

November 13, 2002

By Messenger

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

**RECEIVED**

**NOV 13 2002**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY**

**Re: Notice of *Ex Parte* Meeting; Improving Public Safety Communications  
in the 800 MHz Band; Consolidating the 900 MHz Industrial/Land  
Transportation and Business Pool Channels; WT Docket No. 02-55**

Dear Ms. Dortch:

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, this is to notify you that on November 12, 2002, Christine Gill of McDermott, Will & Emery, representing Cinergy Corporation, Consumers Energy Company, Entergy Corporation, and SCANA Corporation, met with Bryan Tramont of Chairman Powell's office and Michael J. Wilhelm and Shellie Blakeney of the Wireless Telecommunications Bureau, to discuss the issues raised by these companies in their respective comments, reply comments and supplemental comments in the above-referenced proceeding.

Ms. Gill discussed the concerns of these utility companies regarding mandatory realignment of the 800 MHz band, and the deficiencies in the so-called "Consensus Plan" should the Commission ultimately decide that rebanding is justified by the cost and disruption that would be involved. In particular, she stressed the need for an orderly transition process that ensures one-for-one channel replacement, comparable service, and protection of incumbent licensees during relocation; full cost-reimbursement for all licensees; no prohibitions on deployment of advanced technologies; a workable plan for the Canadian/Mexican border regions; and interference protection for all incumbent licensees.

In accordance with the Commission's rules, two copies of this *ex parte* notice are provided herewith for inclusion in the record of the above-referenced proceeding.

Very truly yours,



Christine M. Gill

cc: Bryan Tramont  
Michael J. Wilhelm  
Shellie Blakeney